

Jeff D. Friedman (173886)
Shana E. Scarlett (217895)
HAGENS BERMAN SOBOL SHAPIRO LLP
715 Hearst Avenue, Suite 202
Berkeley, California 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
jefff@hbsslaw.com
shanas@hbsslaw.com

Steve W. Berman (*Pro Hac Vice*)
Hagens Berman Sobol Shapiro LLP
1301 Fifth Avenue, Suite 2900
Seattle, Washington 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RUDOLPH THOMAS, Individually and on behalf of all others similarly situated,) No. 08-cv-05119 TEH
Plaintiff,) STIPULATION AND [PROPOSED] ORDER CONTINUING SEPTEMBER 14, 2009 HEARING DATE OF DEFENDANT SPRINT SOLUTIONS, INC.'S MOTION TO STAY CASE
v.)
SPRINT NEXTEL CORPORATION and)
SPRINT SOLUTIONS, INC., dba SPRINT,)
SPRINT PCS and/or NEXTEL and DOES 1-50,)
Defendant.) ACTION FILED: November 10, 2008

WHEREAS on November 10, 2008, Plaintiff Thomas filed his Class Action Complaint for Breach of Contract, Deceptive Practices, Unfair Business Practices, and Unjust Enrichment (“Complaint”);

WHEREAS on July 28, 2009, Sprint Solutions ("Defendant") filed a Motion to Stay Case;

WHEREAS on August 24, 2009, Plaintiff filed an opposition to Defendant's Motion to Stay;

WHEREAS Defendant noticed its motion to be heard on September 14, 2009;

WHEREAS due to the parties' schedules, including Plaintiff's counsel is currently scheduled to be out of town on a previously scheduled matter, the parties have agreed, subject to approval by the Court, to continue the current hearing date to the first mutually available date, September 28, 2009, at 9:00 a.m.;

WHEREAS this stipulation and order continuing the hearing for Defendant's Motion to Stay Case and Plaintiff's Opposition to Defendant's Motion to Stay Case will have no further impact on the schedule for this case;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiff and counsel for Defendant, subject to the approval of the Court, that:

1. The hearing on Defendant Sprint Solutions, Inc.'s Motion to Stay Case shall be continued to September 28, 2009, at 10:00 a.m.

DATED: August 27, 2009

HAGENS BERMAN SOBOL SHAPIRO LLP

/s/ Jeff D. Friedman
JEFF D. FRIEDMAN

Shana E. Scarlett (217895)
715 Hearst Avenue, Suite 202
Berkeley, California 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
jefff@hbsslaw.com
shanas@hbsslaw.com

1 HAGENS BERMAN SOBOL SHAPIRO LLP
2 Steve W. Berman (*Pro Hac Vice*)
3 1301 Fifth Avenue, Suite 2900
4 Seattle, Washington 98101
5 Telephone: (206) 623-7292
6 Facsimile: (206) 623-0594
7 steve@hbsslaw.com

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

MEADE & SCHRAG LLP
Tyler Meade (160838)
Michael Schrag (185832)
1816 Fifth Street
Berkeley, CA 94710
Telephone: (510) 843-3670
Facsimile: (510) 843-3679
tyler@meadeschrag.com
michael@meadeschrag.com

Attorneys for Plaintiff and all others similarly situated

SHEPPARD MULLIN, RICHTER & HAMPTON LLP

By _____ /s/ Fred R. Puglisi
FRED R. PUGLISI

JAMES J. MITTERMILLER (85177)
FRANK J. POLEK (167852)
501 West Broadway, 19th Floor
San Diego, California 92101-3598
Telephone: (619) 338-6500
Facsimile: (619) 234-3815
fpuglisi@sheppardmullin.com
jmittermiller@sheppardmullin.com
fpolek@sheppardmullin.com

Attorneys for Defendant
SPRINT SOLUTIONS, INC.

I, Jeff D. Friedman, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING HEARING DATE OF PLAINTIFF'S MOTION TO STAY CASE. In compliance with General Order 45, X.B., I hereby attest that Fred R. Puglisi has concurred in this filing.

SO ORDERED.

Dated: 08/31/09

STIP. AND [PROP.] ORD. RE HEARING DATE OF DEF.S'
MOT TO STAY CASE - 08-cv-05119 TEH

